

REMARKS

Claims 1-10, 12-15, 17-20, 22-31 and 33-40 are pending. Claims 1-4, 6, 8-10, 12-14, 17, 19, 20, 22-26, 28-31, 34, 35 and 37-40. Reconsideration is respectfully requested.

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request reconsideration of the claims in view of the remarks presented below.

Claims 1-4, 6, 9, 10, 12-14, 19, 20, 22-26, 28-31, 34, 35 and 37-40 were rejected under 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Hansen et al (U.S. Patent No. 5,928,280). Independent claims 1, 10, 20, 28 and 31 were amended to more succinctly claim the invention. More particularly, limitations were added to emphasize a feature of the cell structure that provides for the desired gap size reduction upon expansion (page 5, line 11-14). By requiring that the peaks of each V strut to be unattached to the peak of any other strut, the respective peaks are free to shift longitudinally relative one another as the stent is expanded. The magnitude of such shift is of course dependent upon the included angle of the strut whereby the peaks of the V struts with larger included angles shift more than peaks of V struts with smaller included angles to thereby fill in the gaps between cells of adjacent rings. In view of the fact that all peaks of the V shaped structures shown in Hansen are joined to at least one other peak, anticipation is clearly precluded. Moreover, in view of the absence of any suggestion of a structure capable of differentiated amount of shifting between the peaks in effort to reduce gap size, it is respectfully submitted that obviousness is similarly avoided.

Claims 8 and 17 were rejected under 35 U.S.C. § 103(a) as obvious over Hansen et al in view of Cox (U.S. Patent No. 6,171,334). In view of the non-obviousness of underlying independent claims 1 and 10 as set forth, it is respectfully submitted that all claims depending therefrom similarly avoid obviousness.

In view of the foregoing, it is respectfully urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney


can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above amendments and remarks, applicants earnestly believe the application to be in condition for allowance and respectfully request that it be passed to issue.

Respectfully submitted,

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